

IPW

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May 5, 2005

To: Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Art Unit 3634 - J.E. Novosad

From: George O. Saile, Reg. No. 19,572

28 Davis Avenue

Poughkeepsie, N. Y., 12603

Subject: | Serial No.: 10/615,743 07/09/03 |

Tong Wei Hua et al.

A WAFER PROTECTIVE CASSETTE

|_ Art Group: 3634 J.E. Novosad _|

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Restriction or Election Requirement in the Office Action dated 04/05/05. In that Office Action, restriction was required to one of two stated

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 5, 2005.

Stephen B. Ackerman, Reg.# 37761

Signature/Date

 5/5/05

Inventions under 35 U.S.C. 121. The Inventions stated are Group I - Claims 1 and 4-10 to a substrate carrier, classified in Class 211, subclass 041.18 and Group II - Claims 21-30 to a process, classified in Class 414, subclass 941.

Applicant provisionally elects to be examined the Invention described by the Examiner as Group II - Claims 21-30 drawn to a process classified in Class 414, subclass 941. This election is made with traverse of the requirement under 37 C.F.R.1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction given in the Office Action. The Examiner gives the reason for the distinctness of the two inventions as (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP 806.05(f)). However, upon reading the product Claims against the process Claims one can readily see that the product Claims are directed to "a substrate carrier for securing semiconductor substrates" and the process Claims are directed to "a method for protecting semiconductor wafers in a wafer carrier", it is necessary to obtain claims in both the product and method claim language. The method Claims necessarily use the product and vice versa. The field of search must necessarily cover both the method class/subclass

414/941 and products class 211/041.18 in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "In the instant case, the process for using the product as claimed can be practiced with another materially different product such as a product without the curbing member and sloped profile "disposed on an upper side of each channel", as in claim 1. Also, the product as claimed can be used in a materially different process of using that product such as not having a bottom end having a flat bottom, as in claim 21", is very speculative and really has nothing to do with the Claims as presented in this Patent Application. Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of a second Patent Application upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement and the Allowance of the present Patent Application is requested.

Sincerely



Stephen B. Ackerman, Reg. #37761